

State Programs

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AREA CODE 512/476-6331

April 14, 1986

HAND DELIVERY

OLIN CORP - S P OLIVER
TXD 000607028

Ms. Katherine Smith
Assistant U.S. Attorney
300 W. 5th, Suite 1000
Austin, TX 78701

Re: No. 394,086 in the 299th Judicial District Court of
Travis County, Texas; Olin Corporation vs. The Texas
Water Commission, et al.

Dear Ms. Smith:

Enclosed for your information and records is a copy of Olin
Corporation's Motion for Partial Non-Suit against the E.P.A. which
was filed this morning.

I appreciate your attention to this matter.

Yours truly,

Philip Haag

PH:pd
Enclosure

cc: Mr. Chuck DiLeva (w/enc.)
Ms. Carole Gallagher (w/enc.)
Mr. Fred Stumpf (w/enc.)
Mr. Louis Zimmerman (w/enc.)
Mr. Jim Rourke (w/enc.)

bcc: Mr. Tom Bayko (w/enc.)
Mr. Allyn Carnam (w/enc.)

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NO. 394,086

OLIN CORPORATION,
Plaintiff

§ IN THE DISTRICT COURT OF

VS.

§ TRAVIS COUNTY, TEXAS

THE TEXAS WATER COMMISSION,
THE UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY, EUREKA
INVESTMENT COMPANY, SOUTHERN
PACIFIC TRANSPORTATION COMPANY,
AND HOUSTON BELT & TERMINAL
RAILWAY COMPANY, Defendants

§ 299TH JUDICIAL DISTRICT

ORDER OF PARTIAL DISMISSAL

On _____, 1986, came on to be heard in the
above referenced matter Plaintiff's Motion for Partial Non-Suit
against Defendant United States Environmental Protection Agency only.
It appears to the Court that the motion is well taken and should be
granted.

IT IS, THEREFORE, ORDERED that the above suit be and it is
hereby dismissed as to the United States Environmental Protection
Agency only without prejudice to Plaintiff's right to reinstitute
same.

SIGNED this _____ day of _____, 1986.

JUDGE PRESIDING

CERTIFICATE OF SERVICE

I certify that a true copy of the foregoing Motion for Partial Non-Suit has been sent by registered mail by depositing same, enclosed in a postpaid, properly addressed wrapper, in a post office or official depository under the care and custody of the United States Postal Service on this 14th day of April, 1986, for delivery to the following persons:

Ms. Carole Gallagher
Crain, Caton, James & Womble
3300 Two Houston Center
Houston, TX 77010

Mr. Fred Stumpf
Olivier, Stumpf, Falgought & Guynes
1400 Post Oak Boulevard
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Louis S. Zimmerman
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1150 Connecticut Avenue, N.W.
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Mr. Chuck DiLeva
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Land & Natural Resources Division
P.O. Box 23986
L'Enfant Plaza Station
Washington, DC 20026-3986

Mr. Jim Rourke
General Counsel
Texas Water Commission
P.O. Box 13087
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